

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

HARRY WALKER, )  
Petitioner, )  
v. ) CIVIL ACTION NO. 5:14-CV-196 (MTT)  
Warden GREGORY McLAUGHLIN, )  
Respondent. )  
\_\_\_\_\_  
)

**ORDER**

This case is before the Court on the Recommendation (Doc. 15) of United States Magistrate Judge Charles H. Weigle on the Defendant's motion to dismiss (Doc. 11). The Magistrate Judge recommends dismissing this action because the Petitioner failed to file his 28 U.S.C. § 2254 petition within AEDPA's one-year limitations period. The Petitioner objected to the Recommendation. (Doc. 19).

Pursuant to 28 U.S.C. § 636(b)(1), the Court has thoroughly considered the Petitioner's objection and has made a de novo determination of the portions of the Recommendation to which the Petitioner objects. The Court accepts the findings, conclusions, and recommendations of the Magistrate Judge. The Recommendation is **ADOPTED** and made the order of this Court. Further, the Petitioner has not made a substantial showing of the denial of a constitutional right pursuant to 28 U.S.C. § 2253(c)(2). Accordingly, the Respondent's motion to dismiss (Doc. 11) is **GRANTED**, and a certificate of appealability is **DENIED**.

**SO ORDERED**, this 5th day of December, 2014.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT